

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 28th day of October, 2006
First Bail Application No. 1001 of 2006

Criminal Side

Prakash Ram
s/o Shri Uchhap Ram
R/o Village Kalseema
Post and Patwari Circle Chaumu
District Almora

..... Applicant

Versus

State of Uttaranchal

..... Opposite Party

Arising out of Crime No. 03 of 2006
Under Section: 302 of I.P.C
Patwari Circle: Chaumu
District: Almora

Hon'ble Prafulla C. Pant, J.

Heard Shri Vinod Sharma, learned counsel for the applicant and Shri Amit Bhatt, learned A.G.A. for the State.

Applicant- Prakash Ram, who is in jail in connection with crime No. 03 of 2006, relating to offences punishable under Section 302 I.P.C. Patwari Circle- Chaumu, District- Almora, has sought his release on bail.

The statement of witnesses under Section 161 of Cr.P.C., show that the main role has been assigned to Bachhi Ram (not applicant), who caused injuries on the person of the deceased, which resulted in his death. Though applicant Prakash Ram is named in the First Information Report but no specific role has been assigned to him in commission of the crime.

In the facts and circumstances of the case, without expressing any opinion as to the final merits of the case, applicant deserves bail. Let the applicant Prakash Ram be released on bail on executing personal bond and on furnishing two sureties, each of the like amount to the satisfaction of Chief Magistrate, Almora.

(Prafulla C. Pant, J.)

Dt. 28.10.2006

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